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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

YVETTE FELARCA, et al.

Plaintiffs,

vs.

ROBERT J. BIRGENEAU, et al.,

Defendants.

**CASE NO.: 4:11-cv-05719-YGR**

**STIPULATION AND *MODIFIED*  
ORDER TO REVISE CASE  
SCHEDULE**

Date: November 20, 2012

Time: 2:00 p.m.

Ctrm: TBD

Judge: Hon. Yvonne Gonzalez Rogers

The parties, by and through their respective counsel, stipulate as follows:

**I. RECITALS**

1. On October 17, 2012, this Court ordered the following schedule for this case, per the parties' stipulation, which was entered at the request of the plaintiffs:

- i. Oppositions to motions filed in response to the Amended Complaint were due on October 23, 2012.
- ii. Replies to oppositions to motions filed in response to the Amended Complaint are due on November 6, 2012.
- iii. Hearings on any motions filed in response to the Amended Complaint shall take place on Tuesday, November 20, 2012, at 2 p.m.
- iv. The Case Management Conference is set for December 3, 2012.

2. This was the second postponement of the current proceedings. The hearing on motions filed in response to the Amended Complaint had previously been scheduled for November 13, 2012, and the Case Management Conference (CMC) had previously been scheduled for September 10, 2012.
3. Counsel for plaintiffs have requested that defendants stipulate to a rescheduling of the November 20 hearings and the December 3 Initial Case Management Conference. Plaintiffs' lead counsel, Shanta Driver, has been invited to speak at an international conference in London November 21, 2012, the day after the current hearing date for motions responding to the Amended Complaint. She also will prepare for and appear at an immigration hearing in London that week.
4. The motions to dismiss, if granted, would narrow the issues of this case before the Case Management Conference.
5. Counsel for the parties have agreed to stipulate to the following briefing schedule, subject to the Court's approval: any replies to oppositions to motions would be due November 13, 2012. (Previously, the Court granted an extension that provided plaintiffs an additional week to prepare their oppositions; this date change would similarly give defendants an additional week to prepare their replies.)
6. The attorneys have consulted and determined that we are all jointly available on December 4, 2012 for the hearing on motions to dismiss.
7. The attorneys have consulted and determined that we are all jointly available on December 17, 2012, or a later Monday, for the Initial Case Management Conference.

## **II. STIPULATION**

- 1 1. Any replies to oppositions to motions filed in response to the Amended Complaint shall
- 2 be due on November 13, 2012.
- 3 2. Hearings on any motions filed in response to the Amended Complaint shall take place on
- 4 Tuesday, December 4, 2012 at 2 p.m., or at such other time as the Court may order.
- 5 3. The Initial Case Management Conference shall take place on Monday, December 17,
- 6 2012 at 2 p.m., or at such other time as the Court may order.

7 By the parties' attorneys IT IS SO STIPULATED,

8 Date: October 30, 2012

SCHEFF, WASHINGTON & DRIVER

9  
10 By /s/ Ronald Cruz  
11 RONALD CRUZ  
Attorneys for Plaintiffs

12 Date: October 30, 2012

ANDRADA & ASSOCIATES

13  
14 By \_\_\_\_\_  
15 LYNNE G. STOCKER  
Attorneys for Defendants  
16 GREGORY AHERN, OFFICER CHAVEZ,  
OFFICER GARCIA, OFFICER KING and  
17 OFFICER OBICHERE

18 Dated: October 30, 2012

CROWELL & MORING, LLP

19  
20 By \_\_\_\_\_  
JANINE L. SCANCARELLI  
Attorneys for Defendants  
21 ROBERT J. BIRGENEAU, GEORGE  
BRESLAUER, HARRY LE GRANDE, LINDA  
22 WILLIAMS, JOHN WILTON, CLAIRE  
HOLMES, MITCHELL CELAYA

23 Dated: October 30, 2012

LACKIE, DAMMEIER, MCGILL & ETHIR, APC

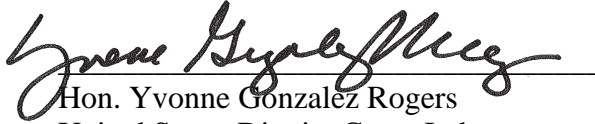
1 By \_\_\_\_\_  
2 RUSSELL M. PERRY  
3 Attorneys for Defendants  
4 OFFICER N. HERNANDEZ, OFFICER  
LACHLER and DETECTIVE RICK FLORENDO

5 The Hearing on the Defendants' Motions to Dismiss is **CONTINUED** from November 20,  
6 2012 to **December 11, 2012**.

7 The Case Management Conference is **CONTINUED** from December 3, 2012 to **February**  
8 **11, 2013**.

9 **PURSUANT TO STIPULATION, AS MODIFIED, IT IS SO ORDERED.**

10 Dated: October 31, 2012

11   
12 Hon. Yvonne Gonzalez Rogers  
13 United States District Court Judge  
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